

OVERTIME COMPENSATION AND COMPENSATORY TIME OFF

Objective: To establish policies for overtime compensation for County employees. Policy Number: 04-02

Reference: Agreement between the County of Tompkins

and Tompkins County Unit, Local 855 CSEA/AFSCME; Agreement between County of Tompkins and Deputy Sheriffs' Association; Fair Labor Standards Act

Effective Date: January 12, 1981

Modified Date: Modified Date: November 18, 1997, December 2, 2003

Policy: County employees will be compensated for all hours worked according to Bargaining

Unit contracts and the Fair Labor Standards Act. Resolution #: 258 December 2, 2003

Procedure: Definition: Overtime - All authorized hours worked beyond the total approved hours of a position.

Department: Personnel Department

1. Regular time shall be computed from the normal starting time of each employee's regularly scheduled shift. In the event of tardiness, the time deducted will be computed in one-tenth hour units.

2. Except in emergencies, no employee shall work overtime unless overtime is necessary and the employee has the prior approval of the appropriate department head or a designee. Overtime work may be performed off County premises only upon the department head's prior determination that this is where the work must be performed.

3. Travel time may be charged as time worked (Code 1) under the following conditions:

a. All job-related travel during the normal hours and workday of the department;

b. All job-necessitated travel (excluding job-related travel) as defined in Policy 01-03, excluding meal time; and

c. Travel to and from training sessions approved by department heads, excluding meal time.

4. Conferences, seminars, workshops, etc., attended during normally scheduled work hours are chargeable as time worked. Such sessions attended outside normally scheduled work hours (e.g., weekends) may be counted as time worked only if they are job necessitated (see Policy 01-03).
5. When department heads require or permit employees to work more than the standard number of hours in the work week (Sunday 12:01 a.m. through Saturday 12:00 Midnight) of the department, the employee's overtime code and Fair Labor Standards Act status must be taken into account. Employees will receive pay at their regular compensation rate for actual time spent rendering services while on call.
6. All County positions are categorized by the Fair Labor Standards Act (FLSA) as one of the following:
 - Excluded - all elected and appointed officials
 - Exempt - not subject to compensation at time and one half for hours worked over 40 hours in a single work week
 - Non-exempt - Must be compensated at time and one half for all hours worked over 40 hours in a single work week
7. Non-exempt employees working a standard work week of 40 hours will be paid for overtime worked. Non-exempt employees working a standard work week of less than 40 hours will be compensated for overtime by compensatory time off at a time which will not interfere with the effective operation of the department. Compensatory time off must be approved by the department head involved or a designee.
8. Exempt employees will receive compensatory time off at straight time for all hours worked over their standard work week. The department head is authorized to schedule or permit hours above the standard work week.
9. Employees may accumulate up to, but not more than, a maximum of ten (10) days of compensatory time off. It is the responsibility of the department head to ensure that no employee exceeds the compensatory time bank limit.

10. All compensatory time off which an employee is owed at time of separation from County employment must be paid to the employee.

11. When an employee covered by a bargaining agreement is promoted to a management or confidential position in a different department, it is the responsibility of the two department heads to discuss and reach agreement on use of the compensatory-time balance.